



Department of Defense

DIRECTIVE

ASD/HA

756-8910

AD-A272 190



February 12, 1985

NUMBER 6040.34

ASD (HA)

SUBJECT: Birth Registration Outside the United States

Reference: (a) DoD Directive 6040.34, "Birth Registration Overseas,"
July 29, 1961 (hereby canceled)

A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update policy, procedures, and responsibilities on birth registration of infants born to U.S. citizens in military medical facilities outside the United States and its possessions.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Organization of the Joint Chiefs of Staff (OJCS), the Unified and Specified Commands, and the Defense Agencies. The term "Military Service" as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

C. POLICY

It is DoD policy that:

1. The Military Services cooperate with U.S. Consular Offices in accomplishing birth registration of infants born to U.S. citizens in military medical facilities outside the United States and its possessions.
2. When birth registration is required by local law in areas outside the United States and its possessions, military medical facilities report births to local authorities on the forms provided for such registration, in addition to completing reports required by U.S. Consular Offices.
3. Births be registered through local offices of the Vital Statistics Divisions, Public Health Service, Department of Health and Human Services, or accepted local Government offices, when occurring in the following areas:
 - a. American Samoa.
 - b. Guam.
 - c. Puerto Rico.
 - d. Trust Territories of the Pacific Islands.
 - e. Virgin Islands of the United States.

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D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Health Affairs) (ASD(HA)) shall monitor the implementation of this Directive.

2. The Secretaries of the Military Departments shall:

a. Ensure that all procedures are followed by military medical facilities outside the United States and its possessions.

b. Ensure that a military officer is designated to carry out the procedures at every military medical facility outside the United States and its possessions.

E. PROCEDURES

1. As soon as possible, but not later than 10 days, after the birth in a military medical facility of an infant whose parent or parents are U.S. citizens, the designated military officer shall report the birth to the U.S. Consular Office in whose district the medical facility is located.

2. The designated military officer at each facility shall obtain the data required and prepare Department of State Foreign Service Form, FS-240, "Report of Birth Abroad of a Citizen of the United States of America," also referred to as "Consular Report of Birth". (See enclosure 1, paragraph 1 for detailed procedures on preparing Form FS-240 and enclosure 2 for a sample form.)

3. In every case, the designated military officer shall prepare and send to the U.S. Consular Office an original and two copies of Form FS-240 (as directed in subsection E.1. above) and advise the parents of the procedures that must follow. (See enclosure 1, paragraph 2.)

4. The U.S. Consular Office shall issue to the parent a copy of the Form FS-240 only upon the parent's request at the time the birth is reported to the U.S. Consular Office and upon payment of a fee of \$13.00. The Certification of Birth will be issued free of charge to the parent when a Form FS-240 is executed by the U.S. Consular Officer. (For information on the use of the Form FS-240 and the Certification of Birth in establishing citizenship and how to obtain additional copies of the forms, see enclosure 3.)

F. EFFECTIVE DATE AND IMPLEMENTATION

This Directive shall be effective immediately. Forward revised implementing documents to the Assistant Secretary of Defense (Health Affairs) within 120 days.



William H. Taft, IV
Deputy Secretary of Defense

Enclosures - 3

1. Detailed Procedures for Submitting Form FS-240 and Necessary Documentation to a U.S. Consular Office
2. Sample of Form FS-240, Report of Birth Abroad of a Citizen of the United States of America
3. Foreign Births and Citizenship

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DETAILED PROCEDURES FOR SUBMITTING
FORM FS-240 AND NECESSARY DOCUMENTATION
TO A U.S. CONSULAR OFFICE

1. The designated military officer at each U.S. military medical facility shall obtain the data required, prepare the Department of State Foreign Service, Form FS-240, "Report of Birth Abroad of a Citizen of the United States of America" (excluding the section indicated to be completed by the Consular Officer, notary public, or other person qualified to administer oaths) in triplicate, secure the signature required on the form, and forward the report to the U.S. Consular Office.

a. A citizen parent will be requested to sign each of the three Forms FS-240 in the box reading "Signature of Parent, Physician, Nurse, or Other Person Furnishing Above Information." The citizen parent shall sign under oath before an official qualified to administer oaths. After administering the oath, the official will complete the appropriate section of the form.

b. If the mother is not a U.S. citizen, the citizen father shall be requested to sign the Forms FS-240, if he is available. If the father is not available or if there is any question about his citizenship status, the parent or parents will be requested to contact the U.S. Consular Office.

c. If the mother dies or is in a very serious condition and the father, is not available or is not a U.S. citizen, the form shall be forwarded to the U.S. Consular Office as soon as the medical professional who delivered the infant signs it attesting to the delivery. The father then will be advised by the facility or by his Command that he will be contacted by a U.S. Consular Officer for information on procedures that need to be followed to establish citizenship, if applicable.

d. If a child is born out of wedlock, the nearest U.S. Consular Officer shall be contacted concerning procedures to establish citizenship.

2. In every case, the designated official shall prepare and send an original and two copies of Form FS-240 to the U.S. Consular Office, and advise the parents of the following alternative procedures.

a. If the citizen parent or parents have the proper information entered on Form FS-240 as prescribed in the Military Departments' implementing documents, they will be advised that it is not necessary to go in person to the U.S. Consular Office.

b. When the necessary documentation prescribed in the Military Departments' implementing documents is questionable or not available, the Form FS-240 shall be forwarded to the U.S. Consular Office, and the parent or parents shall be advised to visit the U.S. Consular Office and take with them documents that establish their marriage and citizenship.

Encl 2

DEPARTMENT OF STATE REPORT OF BIRTH ABROAD OF A CITIZEN OF THE UNITED STATES OF AMERICA			PLACE OF REPORT (Foreign Service Post)	
			DATE OF REPORT (Month, Day, Year)	
NAME OF CHILD IN FULL (First name)		(Middle name)	(Last name)	SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
DATE OF BIRTH (Month, Day, Year)	Hour AM PM	PLACE OF BIRTH IN FULL (Hospital, City, State, Country)		
THE FOLLOWING ITEMS MUST BE COMPLETED FOR BOTH FATHER AND MOTHER:				
FATHER	ITEM		MOTHER	
	FULL NAME (Also give Mother's name before marriage)			
	DATE OF BIRTH (Month, Day, Year)			
	PLACE OF BIRTH (City, State, Country)			
	PRESENT ADDRESS (Street No., City, State)			
	ADDRESS IN UNITED STATES (Street No., City, State)			
	EVIDENCE OF U.S. CITIZENSHIP (If naturalized, give date, place and cert. no. If naturalized through parent(s) give date your lawful admission to U.S. for permanent residence and date, place, and Cert. No. parent(s) naturalization(s)) IF ALIEN, SHOW NATIONALITY			
	PRECISE PERIODS OF PHYSICAL PRESENCE IN UNITED STATES (Do not list individual States)			
	PRECISE PERIODS ABROAD IN U.S. ARMED FORCES, IN OTHER U.S. GOVERNMENT EMPLOYMENT, WITH QUALIFYING INTERNATIONAL ORGANIZATION, OR AS DEPENDENT OF SUCH PERSON (Specify)			
	PREVIOUS MARRIAGES SHOW DATE AND MANNER OF TERMINATION OF ALL. IF DIVORCED SUBMIT DIVORCE DECREE (S)			
DATE AND PLACE OF PRESENT MARRIAGE (Month, Day, Year - City, State, Country)				
SIGNATURE OF PARENT, PHYSICIAN, NURSE, OR OTHER PERSON FURNISHING ABOVE INFORMATION	ADDRESS (Street address, city, state, country)			
THIS SECTION TO BE COMPLETED BY CONSULAR OFFICER, NOTARY PUBLIC OR OTHER PERSON QUALIFIED TO ADMINISTER OATH				
Subscribed and sworn to before me this _____ day of _____ 19_____, at _____				
(SEAL)	(Title of Officer Administering Oath)		(Signature of Officer)	
This report completed at _____ on _____ 19_____ (Foreign Service Post) (Month, Day)				
The information was furnished by (father, mother, physician, nurse or other person having knowledge of birth) and supported by the documents listed below. This report has been transmitted to the Department of State, Washington, D.C. for filing in the Archives of the Department.				
DOCUMENTS Presented: _____ _____ _____ _____				
(SEAL)	(Signature and Typed Name and Title of Consular Officer completing report)			

NOTE

NATIONALS AND CITIZENS OF THE UNITED STATES AT BIRTH
(Excerpts from the Immigration and Nationality Act, as Amended)

Section 301 - The following shall be nationals and citizens of the United States at birth:

(c) a person born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has had a residence in the United States or one of its outlying possessions, prior to the birth of such person;

(d) a person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States;

(g) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than ten years, at least five of which were after attaining the age of fourteen years: Provided, That any periods of honorable service in the Armed Forces of the United States, or periods of employment with the United States Government or with an international organization as that term is defined in section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) by such citizen parent, or any periods during which such citizen parent is physically present abroad as the dependent unmarried son or daughter and a member of the household of a person (A) honorably serving with the Armed Forces of the United States, or (B) employed by the United States Government or an international organization as defined in section 1 of the International Organizations Immunities Act, may be included in order to satisfy the physical presence requirement of this paragraph. This proviso shall be applicable to persons born on or after December 24, 1952, to the same extent as if it had become effective in its present form on that date.

(Underscoring supplied)

PRIVACY ACT STATEMENT

The information solicited on this form is authorized by, but not limited to, those statutes codified in Titles 8, 18, and 22, United States Code, and all predecessor statutes whether or not codified, and all regulations issued pursuant to Executive Order 11295 of August 5, 1966. The primary purpose for soliciting the information is to establish citizenship, identity and entitlement to issuance of a United States passport or related facility, and to properly administer and enforce the laws pertaining thereto.

The information is made available as a routine use on a need-to-know basis to personnel of the Department of State and other Government agencies having statutory or other lawful authority to maintain such information in the performance of their official duties; pursuant to a subpoena or court order; and, as set forth in Part 6a, Title 22, Code of Federal Regulations (See Federal Register Volume 40, pages 45755, 45756, 47419, and 47420).

Failure to provide the information requested on this form may result in the denial of a United States passport, related document or service to the individual seeking such passport, document or service.

U.S. G.P.O. 1961-727-977/964

FOREIGN BIRTHS AND CITIZENSHIP

1. Form FS-240

a. Birth abroad of children who acquire U.S. citizenship at birth have been recorded by U.S. Consular Offices for almost 120 years. For the past 60 years, these births have been reported on the Department of State Foreign Service Form FS-240, "Report of Birth Abroad of A Citizen of the United States of America." Form FS-240 is also referred to as the Consular Report of Birth.

b. In addition to its use as proof of the birth facts, consular-approved Forms FS-240 are considered full proof of citizenship in all courts, tribunals and public offices of the United States, both inside and outside the United States; the District of Columbia; and of each State, Territory, and outlying possession of the United States. The Form FS-240 possesses status equal to a Certificate of Citizenship or Naturalization that is issued by the U.S. Immigration and Naturalization Service (USINS). For this reason, the form and substance of the Form FS-240 differ from the usual live birth certificate filed in the United States, necessitating an affidavit from the person reporting the birth facts.

c. Upon submission of the necessary evidence of the child's birth and citizenship and completion of the FS-240 by the U.S. Consular Officer, the parent or other interested person will receive a copy of the approved Form FS-240, if he or she had requested one at the time the birth was reported and had paid the fee of \$13.00.

2. Certification of Birth

a. The Certification of Birth is a short-form record of birth, and information therein is taken from the Form FS-240. The Certification of Birth does not replace the FS-240 in any way. The Department of State has placed the Certification of Birth form into use to provide persons born outside the United States and its possessions with a birth certificate form similar to those issued by State vital statistics registration offices in the United States. This form will prove especially useful for children seeking to establish birth facts for entry into school, work permits, and other such requirements. Its issuance avoids the need of certifying any embarrassing information that may appear on the Form FS-240.

b. A Certification of Birth will be issued free of charge to the parent in every case where action on the Form FS-240 has been completed by the U.S. Consular Officer, whether or not the parent requested the copy of the FS-240. Additional copies of either form may be obtained at any time from the U.S. Passport Office, Correspondence Branch, Room 386, 1425 K Street, N.W., Washington, D.C. 20524. The fee for each additional copy of either form is \$4.00.

3. Certificate of Citizenship

a. A child born outside the United States and its possessions who does not have a FS-240 and who claims U.S. citizenship through a U.S. citizen parent or parents may want to obtain a Certificate of Citizenship as proof of citizenship. A Certificate of Citizenship may be issued by a USINS office in the United States, whether or not the birth of the child was reported on a Form FS-240. Parents should apply to the USINS office nearest them, or in Washington, D.C. to obtain an "Application for Certificate of Citizenship," Form N-600. Application may be made at any time; there is no age limit.

b. Upon satisfactory proof that the child acquired citizenship as claimed and after examination of the parent or parents in the United States by an officer of that Service, a Certificate will be issued in the name of the child evidencing the child's citizenship. By law, this Certificate and the consular-approved Forms FS-240 have the same effect in all courts, tribunals, and public offices of the United States and of each State, Territory, or outlying possession of the United States, as a certificate of naturalization issued by a court.